



REGISTERED U.S. PATENT ATTORNEY  
AND CANADIAN PATENT AGENT

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AF #51  
3682 6/18/03  
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June 5, 2003

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BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Commissioner for Patents  
Post Office Box No. 1450  
Alexandria, VA 22313-1450

Re: R.H. Hall et al.  
U.S. Patent Application No. 09/172,577  
Appeal No. 2002-1582  
Name INERT GAS BLANKET FOR PROTECTION FROM OXIDATION

Transmittal

I certify that this correspondence is deposited with  
the U.S. Postal Service in an envelope with sufficient  
postage as first class mail addressed to the Office  
address indicated above on June 5, 2003:

Christopher John Rudy: Christopher John Rudy 6/5/2003.

Sir:

Enclosed for the matter of reference are the following papers:

- (1) JUNE 2003 SUPPLEMENTAL REPLY BRIEF (in triplicate).
- (2) PETITION TO INSTRUCT EXAMINER TO ENTER DECLARATION IN  
A PATENT APPLICATION ON APPEAL (Appeal No. 2002-1582).
- (3) JUNE 2003 REQUEST FOR CITATION ON FORM.
- (4) JUNE 2003 ADMINISTRATIVE NOTICE  
REGARDING WITHDRAWAL OF ATTORNEY.

Prompt and favorable action is solicited.

Respectfully,

Christopher John Rudy  
Christopher John Rudy  
USPTO Reg. No. 31,873

Encl

#51

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of Hall et al.  
Application No. 09/172,577  
Application Filing Date 10/13/1998  
For INERT GAS BLANKET FOR PROTECTION FROM OXIDATION

PETITION TO INSTRUCT EXAMINER TO ENTER DECLARATION IN  
A PATENT APPLICATION ON APPEAL (Appeal No. 2002-1582)

To the attention of

Group Art Unit 3682  
Supervisor of Primary Examiner Chong H. Kim  
and Primary Examiner David A. Bucci

Commissioner for Patents  
Post Office Box No. 1450  
Alexandria, VA 22313-1450

Sir:

Please instruct the Examiners to enter and consider the declaration filed on June 24, 2002, and forward the same to the Board of Patent Appeals and Interferences for consideration by the Board in Appeal No. 2002-1582. This paper is in reply to the 04/07/2003 Examiner's supplemental answer (Paper No. 48) in view of the FEB 26 2003 REMAND TO THE EXAMINER (Paper No. 47).

A supplemental reply brief is submitted concurrently.

The declaration of interest may be entered because it provides exhibit evidence against and is relevant in rebuttal of the Examiners' rejections of claims on appeal. Although it has appended art as its exhibit, the declaration should not be considered a mere information disclosure statement. Good and sufficient reasons are presented on the declaration itself as to why the same was not earlier presented, and thus, entry of the declaration of interest is in accord with 37 CFR 1.195.

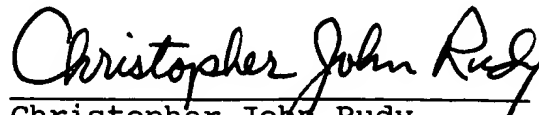
Moreover, another declaration having appended art as an exhibit was filed later than the declaration of interest, i.e., on August 30, 2002, and it was properly entered.

Respectfully,

RICHARD H. HALL ET AL.

Dated: June 5, 2003 A.D.

By

  
Christopher John Rudy  
PTO Registration No. 31,873  
209 Huron Ave., Suite 8  
Port Huron, Michigan 48060  
Telephone (810) 982-4221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of Hall et al.  
Board Appeal No. 2002-1582  
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Application Filing Date 10/13/1998  
For INERT GAS BLANKET FOR PROTECTION FROM OXIDATION

JUNE 2003 ADMINISTRATIVE NOTICE  
REGARDING WITHDRAWAL OF ATTORNEY

On Appeal from

Group Art Unit 3682  
Primary Examiner Chong H. Kim  
Primary Examiner David A. Bucci

Commissioner for Patents  
Post Office Box No. 1450  
Alexandria, VA 22313-1450

Sir:

The request filed on September 18, 2002 (termed Paper No. 46) asked for a specific reply in the form of a NOTICE REGARDING POWER OF ATTORNEY, which was provided in other cases. However, upon further review, the records of the present and undersigned attorney in this application reflect that a copy of the PTO/SB/83 filed by former associate Andrew Joseph Rudy on DEC 12 2001 and mailed to the undersigned on DEC 19 2001 is stamped as follows:


"APPROVED  
DEC 17 2001  
Al Lawrence Smith  
Group 3600."

Unless a NOTICE REGARDING POWER OF ATTORNEY itself is required by Office procedure, the above, less formal notice is satisfactory.

Any confusion caused the Board and the Art Unit is regretted.

Respectfully,

Dated: June 5, 2003 A.D.

  
Christopher John Rudy  
PTO Registration No. 31,873  
209 Huron Ave., Suite 8  
Port Huron, Michigan 48060  
Telephone (810) 982-4221

cc: Andrew Joseph Rudy, Esq.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of Hall et al.  
Board Appeal No. 2002-1582  
Application No. 09/172,577  
Application Filing Date 10/13/1998  
For INERT GAS BLANKET FOR PROTECTION FROM OXIDATION

JUNE 2003 REQUEST FOR CITATION ON FORM

To the Attention of

Group Art Unit 3682  
Primary Examiner Chong H. Kim  
Primary Examiner David A. Bucci

Commissioner for Patents  
Post Office Box No. 1450  
Alexandria, VA 22313-1450

Sir:

Please provide a citation on a form such as a PTO-892 for the SUPERBAT TVT reference cited by the Examiner in his supplemental Examiner's answer of 04/07/2003 (Paper No. 48).

Please also cite the "Sludge Pits" article after entry of the declaration filed on June 24, 2002, which presents the article as an exhibit.

Respectfully,

RICHARD H. HALL ET AL.

Dated: June 5, 2003 A.D.

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Christopher John Rudy  
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